

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

STEVEN GILLIS
Junior Party¹

v.

RONALD HOFFMAN and JOHN BRANDT
Senior Party²

Patent Interference No. 103,853

Before URYNOWICZ, SOFOCLEOUS and DOWNEY, Administrative Patent Judges.

¹ Application 07/765,844, filed September 26, 1991, now U.S. Patent No. 5,199,942, granted April 6, 1993.

² Application 08/226,513, filed March 31, 1994.

Interference No. 103853

DOWNEY, Administrative Patent Judge.

JUDGMENT

Gillis, junior party patentee, filed a concession of priority (Paper No. 30), which paper, pursuant to 37 CFR § 1.662(a), is treated as a request for entry of an adverse judgment as to all the claims which correspond to the count in this interference.

Accordingly, JUDGMENT as to the subject matter of the count in issue is hereby awarded to RONALD HOFFMAN and JOHN BRANDT, the senior party. On this record, Ronald Hoffman and John Brandt, the senior party, are entitled to a patent containing claim 15 and Steven Gillis, the junior party, is not entitled to his patent containing claims 1-3 corresponding to the count.

STANLEY M. URYNOWICZ, JR.)	
Administrative Patent Judge)	
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)	
)	BOARD OF PATENT
MICHAEL SOFOCLEOUS)	
Administrative Patent Judge)	APPEALS AND
)	
)	INTERFERENCES
)	
MARY F. DOWNEY)	
Administrative Patent Judge)	

Interference No. 103853

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